

TITLE 326 AIR POLLUTION CONTROL DIVISION

Emergency Rule
LSA Document #13-26(E)

DIGEST

Temporarily amends [326 IAC 1-4](#) to add the federal designation for part of Dearborn County including Lawrenceburg Township, Lake County, and Porter County to nonattainment of the 2008 8-hour ozone (O₃) standard. Statutory authority: [IC 4-22-2-37.1](#)(a)(13). *The original emergency document, LSA Document #12-467(E), posted at [20120815-IR-326120467ERA](#), effective August 9, 2012, expired November 9, 2012. Effective January 15, 2013.*

SECTION 1. (a) This SECTION supersedes [326 IAC 1-4-16](#).

(b) The following attainment status designations are applicable to Dearborn County:

Pollutant	Designation
SO ₂	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Nonattainment effective July 20, 2012, for the 8-hour ozone standard. ¹
PM _{2.5}	Attainment effective December 23, 2011, for the annual PM _{2.5} standard for Lawrenceburg Township.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Not designated.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 2. (a) This SECTION supersedes [326 IAC 1-4-46](#).

(b) The following attainment status designations are applicable to Lake County:

Pollutant	Designation
SO ₂	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O ₃	40 CFR 81.315 as amended by 77 FR 34228. ^{1,2}
PM _{2.5}	Attainment effective February 6, 2012, for the annual PM _{2.5} standard.
PM ₁₀	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO ₂	Cannot be classified or better than national standards.
Pb	Not designated.
¹ Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area for the 1-hour ozone standard which was revoked effective June 15, 2005.	
² The department is filing a legal challenge to U.S. EPA's designation in 77 FR 34228 and seeking a stay of effectiveness of this designation.	

SECTION 3. (a) This SECTION supersedes [326 IAC 1-4-65](#).

(b) The following attainment status designations are applicable to Porter County:

Pollutant	Designation
SO₂	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O₃	40 CFR 81.315 as amended by 77 FR 34228. ^{1,2}
PM_{2.5}	Attainment effective February 6, 2012, for the annual PM _{2.5} standard.
PM₁₀	Unclassifiable effective November 15, 1990.
NO₂	Cannot be classified or better than national standards.
Pb	Not designated.
¹ Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area, including Porter County, for the 1-hour ozone standard which was revoked effective June 15, 2005.	
² The department is filing a legal challenge to U.S. EPA's designation in 77 FR 34228 and seeking a stay of effectiveness of this designation.	

SECTION 4. A variance request from the requirements of this document shall be made in accordance with [IC 13-14-8-8](#).

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